

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7896 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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KP VALVI

Versus

GUJARAT STATE CIVIL SUPPLY CORPORATION LTD.

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Appearance:

MR SK BUKHARI for Petitioner

MR DEEPAK V PATEL for Respondents

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 25/06/1999

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. Grievance of the petitioner is that the respondents have not given effect to the reservation policy for S.T. officers in making promotion on the post of Deputy General Manager/ Regional Manager.

#. In support of this contention, he placed reliance on

Rule 4 of the Gujarat State Civil Supplies Corporation Limited Recruitment and Promotion Rules, 1997.

#. Mr.D.V.Patel, learned counsel for the respondents contends that the post of Deputy General Manager/ Regional Manager and the Manager on which the petitioner is working are Class-I posts in the Corporation. If promotion has to be given in Class-I post from the post of Class-I, reservation policy is not applicable and in support of this contention, he made reference to the Government Resolution dated 22nd April 1983. He further placed reliance on the decision of this Court reported in 1990(2) GLH 458.

#. I have given my thoughtful considerations to the submissions made by learned counsel for the parties.

#. From the Resolution of the Government aforesaid and the decision of this Court, I find sufficient merits in the contention raised by learned counsel for the respondents. The learned counsel for the petitioner does not dispute that promotion to the post of Deputy General Manager/ Regional Manager is from the feeder post of Manager which is a Class-I post. When both these posts, feeder post and the promotional post are Class-I posts, the reservation policy has rightly not been given effect to and to which no exception can be taken.

#. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. No order as to costs.

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[sunil]